HIGH COURT OF UTTARANCHAL AT NAINITAL

Second Appeal No. 1481 of 2001
(Old No. 1966 of 1983)

M/S Ram Chand Data Ram Cloth Merchant
and another ..... Petitioners

Versus

Mam Chand & another ..... Respondents

Dated: 9.8.2004

Hon. Rajesh Tandon J.

The file has been transferred from Allahabad High Court. None appears for the parties.

I have perused the record of the case.

The suit was filed for the recovery of money. The suit was decreed by the Munsif, Roorkee for the recovery of Rs.2,135/- with interest at the rate of 6% per annum. The defendant filed an appeal against the said order, which was allowed by the appellate Court and the decree passed by the trial Court was set aside in the appeal. The appellate court has held that the Bahikhata was not duly proved and copies were not admissible in evidence.

In view of the aforesaid facts, I do not find any substantial question of law in the second appeal. The appeal is, therefore, dismissed. No order as to costs.

(Rajesh Tandon J.)

9.8.2004